

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

EDMAR FINANCIAL COMPANY, LLC; IRISH
BLUE & GOLD, INC.; and XTX MARKETS
LIMITED,

Plaintiffs,

v.

CURRENEX, INC.; GOLDMAN SACHS & CO.
LLC; HC TECHNOLOGIES, LLC; STATE
STREET BANK AND TRUST COMPANY;
STATE STREET GLOBAL MARKETS
INTERNATIONAL LIMITED; and JOHN DOE
DEFENDANTS 1-5,

Defendants.

Case No. 1:21-cv-06598 (LAK)

**JOINT STIPULATION AND [PROPOSED] ORDER
REGARDING PLAINTIFFS' SECOND AMENDED COMPLAINT**

WHEREAS, on January 6, 2022, Plaintiffs Edmar Financial Company, LLC, Irish Blue & Gold, Inc., and XTX Markets Limited (together, "Plaintiffs") filed an amended class action complaint (the "Amended Complaint") against Defendants Currenex, Inc., State Street Global Markets International Limited, Goldman Sachs & Co. LLC, HC Technologies, LLC, State Street Bank and Trust Company (collectively, "Defendants"), and John Doe Defendants 1-5 (Dkt. No. 41);

WHEREAS, on March 18, 2022, Defendants filed motions to dismiss the Amended Complaint (Dkt. Nos. 53, 56), which the Court granted in part and denied in part in an Opinion issued on May 18, 2023 (the "Opinion") (Dkt. No. 83);

WHEREAS, pursuant to the Opinion, Defendant State Street Global Markets International Limited ("SS Global") was dismissed from the action, while Defendants Currenex, Inc., Goldman

Sachs & Co. LLC, HC Technologies, LLC, and State Street Bank and Trust Company remain in the action;

WHEREAS, on June 16, 2023, pursuant to the Opinion, Plaintiffs sought leave to file a Proposed Second Amended Complaint, Exhibit 1 to Dkt. No. 90, (the “Second Amended Complaint”) (Dkt. Nos. 89, 90);

WHEREAS, Plaintiffs’ contend the new allegations in Plaintiffs’ Proposed Second Amended Complaint pertain to this Court’s jurisdiction over Street Global Markets International Limited (“SS Global”); and

WHEREAS, there has been no prior request for an extension of Defendants’ response deadlines in this action since Plaintiffs sought leave to file the Second Amended Complaint.

NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED, by and among the undersigned counsel for the signatory parties, subject to the Court’s approval, that:

1. Defendants do not oppose Plaintiffs’ filing of the Second Amended Complaint, reserving any and all other rights in respect thereof.
2. Neither the filing of this Stipulation nor the terms thereof shall constitute an admission of any of the allegations in, or waiver of defenses to, the Second Amended Complaint, including, without limitation, as to whether SS Global is subject to the personal jurisdiction of this Court (which it expressly denies).
3. Defendants other than SS Global will answer the Second Amended Complaint, which will be deemed filed as of the date of this Order, by August 17, 2023. SS Global will answer or otherwise respond to the Second Amended Complaint by the same day. Any motion to dismiss will not seek to re-litigate issues already resolved by the Court’s prior Opinion.

4. If SS Global moves to dismiss the Second Amended Complaint, the parties will meet and confer concerning a briefing schedule.

5. Nothing in this stipulation prevents any party from seeking further extensions on the consent of the parties or from the Court.

IT IS SO ORDERED.

DATED: _____

THE HONORABLE LEWIS A. KAPLAN
UNITED STATES DISTRICT JUDGE

Dated: July 6, 2023
New York, New York

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I, Gregg L. Weiner, am the ECF user whose username and password are being used to file this JOINT STIPULATION AND [PROPOSED] ORDER REGARDING PLAINTIFFS' SECOND AMENDED COMPLAINT. I hereby represent that all signatories to this document have concurred in this filing.

Dated: July 6, 2023
New York, New York

ROPPES & GRAY LLP

/s/ Gregg L. Weiner
Gregg L. Weiner